

Flathead County Planning & Zoning

1035 1st Ave W, Kalispell, MT 59901
Telephone 406.751.8200 Fax 406.751.8210



PETITION FOR ZONING AMENDMENT

Submit this application, all required information, and appropriate fee (see current fee schedule)
to the Planning & Zoning office at the address listed above.

APPLICANT/OWNER:

FEE ATTACHED \$ 875.00

1. Name: MK Land Holdings, LLC Phone: 406-756-7100
2. Mail Address: 1347 Hwy. 2 East
3. City/State/Zip: Kalispell, MT 59901
4. Interest in property: Owner

*Phoned on 7/2/10 to
explain process +
see if any
questions.*

Check which applies:



Map Amendment



Text Amendment:

BJ

TECHNICAL/PROFESSIONAL PARTICIPANTS:

Name: Marquardt & Marquardt Surveying, Inc Phone: 406-755-6285
Mailing Address: 201 3rd Ave. West
City, State, Zip: Kalispell, MT 59901
Email: msurvey@mmsurvey.net

IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE TEXT OF THE ZONING REGULATIONS, PLEASE COMPLETE THE FOLLOWING:

- A. What is the proposed zoning text/map amendment?

Change zoning from R-2 to B-2

IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE ZONING MAP PLEASE COMPLETE THE FOLLOWING:

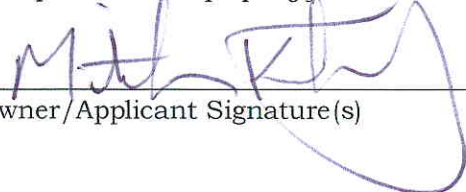
- A. Address of the property: 1347 Hwy 2 East
B. Legal Description: Portion of Tract 8 & 8D (see attached)
(Lot/Block of Subdivision or Tract #)
04 - 28 - 21
Section Township Range (Attach sheet for metes and bounds)
C. Total acreage: 0.59 +/-
D. Zoning District: Evergreen
E. The present zoning of the above property is: R-2
F. The proposed zoning of the above property is: B-2

G. State the changed or changing conditions that make the proposed amendment necessary: See attached

THE FOLLOWING ARE THE CRITERIA BY WHICH ZONING AMENDMENTS ARE REVIEWED. PLEASE PROVIDE A RESPONSE AND DETAILED EXPLANATION FOR EACH CRITERION FOR CONSIDERATION BY THE PLANNING STAFF, PLANNING BOARD, AND COMMISSIONERS.

1. Is the proposed amendment in accordance with the Growth Policy/Neighborhood Plan?
2. Is the proposed amendment designed to:
 - a. Secure safety from fire and other dangers?
 - b. Promote public health, public safety and the general welfare?
 - c. Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?
3. Does the proposed amendment consider:
 - a. The reasonable provision of adequate light and air?
 - b. The effect on motorized and non-motorized transportation systems?
 - c. Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities?
 - d. The character of the district and its peculiar suitability for particular uses?
 - e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area?
4. Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?

The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during approval process.


Owner/Applicant Signature(s)

4/20/10
Date

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G. State the changed or changing conditions that make the proposed amendment.

A portion of this property is currently zoned B-2. The zone change would create consistent zoning and allow compatible uses on the property.

1. Is the proposed amendment in accordance with the Growth Policy/Neighborhood Plan?

The Flathead County Growth Policy designates this area as commercial and residential therefore this proposal is in accordance with the Growth Policy. A portion of this property is currently zoned B-2, Commercial.

2. Is the proposed amendment designed to:

a. Secure safety from fire and other dangers?

The zone change will not have a direct effect on safety from fire or other dangers. The zoning designation will control the type and design of development. Ben Covington the Evergreen Fire Marshal, stated that no fire hydrants would be required for a zone change application.

b. Promote public health, public safety and the general welfare?

The zoning district permits or conditionally permits uses that would not affect the health and general welfare of the public negatively. The existing access onto and off of US Highway 2 is controlled with island barriers and curb cuts providing safer access.

c. Facilitate the adequate provision of transportation, water, sewer, schools, parks and other public requirements?

The zone change will not affect public services. The property is adjacent to and a portion of the property is in a commercial district, which is designed to provide services to the public, and addresses the location and proximity of uses in regards to streets, schools, parks and utilities.

3. Does the proposed amendment consider:

a. The reasonable provision of adequate light and air?

The Zoning Regulations Development Standards address and will control light and air around buildings and properties.

b. The effect on motorized and non-motorized transportation systems?

A portion of the property is currently zoned B-2 therefore the zone change would have a minimal impact.

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- c. Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities?

A portion of this property is currently zoned B-2 and is compatible with the existing and proposed use for this area.

- d. The character of the district and its peculiar suitability for particular uses?

This zone change is consistent with the character of the area and gives reasonable consideration to the existing uses of the B-2 Commercial zoning on the adjacent properties.

- e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area?

A portion of this property is currently zoned B-2 and the value of buildings will be conserved as well as the use of the land by encouraging consistent zoning.

- 4. Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?

The zone change will be compatible with the zoning ordinances of the nearby municipalities as the corridor along US Highway 2 is designated for commercial development in the Kalispell City-County Master Plan 2010. A portion of this property is currently zoned B-2. The Kalispell City-County Master Plan 2010 states that the visual maps and designations are meant to be general and not site-specific to property boundaries...“land use plan designations are not meant to be fixed or rigid boundaries.”

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